

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

EQUIPMENT CORPORATION OF AMERICA,	)	
Plaintiff,	)	Civil Action No. 16-178
v.	)	Chief Judge Joy Flowers Conti/ Chief Magistrate Judge Maureen P. Kelly
HARTFORD UNDERWRITERS INSURANCE COMPANY,	)	Re: ECF No. 13
Defendant.	)	

**ORDER**

AND NOW, this 12th day of December, 2016, after Plaintiff Equipment Corporation of America filed an amended complaint in the above-captioned matter (ECF No. 7) and after a motion to dismiss was filed by Defendant Hartford Underwriters Insurance Company (“Defendant”) (ECF No. 13), and after a Report and Recommendation was filed by Chief United States Magistrate Judge Kelly (ECF No. 19), to which no objections were filed, and upon independent review of the record, and upon consideration of the magistrate judge’s Report and Recommendation, which is ADOPTED as the opinion of this court,

IT IS HEREBY ORDERED that Defendant’s Motion to Dismiss, ECF No. 13, is GRANTED.

IT IS FURTHER ORDERED that, pursuant to Rule 4(a)(1) of the Federal Rules of Appellate Procedure, if any party wishes to appeal from this Order, a notice of appeal, as provided in Federal Rule of Appellate Procedure 3, must be filed with the Clerk of Court, United

States District Court, at 700 Grant Street, Room 3110, Pittsburgh, PA 15219, within thirty (30) days.

The clerk shall mark this case closed.

By the Court:

/s/ Joy Flowers Conti  
Joy Flowers Conti  
Chief United States District Judge

cc: Honorable Maureen P. Kelly  
Chief United States Magistrate Judge

All Counsel of Record Via CM-ECF